

Filed by: Michael P. Tierney
Administrative Patent Judge
Mail Stop Interference
P.O. Box 1450
Alexandria Va 22313-1450
Tel: 703-308-9797
Fax: 703-305-0942

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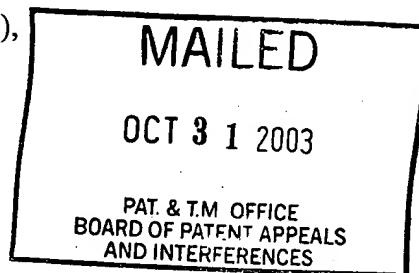
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

LIBBEY-OWENS-FORD CO.
Junior Party,
(U.S. Patent Application No. 09/942,763),

v.

PPG INDUSTRIES OHIO, INC.
Senior Party,
(U.S. Patent No. 6,114,264).



Patent Interference No. **105,147** (MPT)

NOTICE DECLARING INTERFERENCE
(37 CFR § 1.611)

Part A. Declaration of interference

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties.

Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this NOTICE DECLARING INTERFERENCE.

Part B. Judge designated to handle the interference

Administrative Patent Judge Michael P. Tierney has been designated to handle the interference. 37 CFR § 1.610(a).

Part C. Standing order

A Trial Section STANDING ORDER accompanies this NOTICE DECLARING INTERFERENCE. The STANDING ORDER applies to this interference.

Part D. Conference call to set dates

A telephone conference call to set dates for taking action in the interference is scheduled for **11:00 a.m. on January 8, 2004** (the call will be initiated from the PTO).

No later than **two business days** prior to the conference call, each party shall file and serve by facsimile a list of the preliminary motions the party intends to file. See STANDING ORDER ¶ 10.

A copy of a "sample" order setting times for taking action during the preliminary motion phase of the interference accompanies this NOTICE DECLARING INTERFERENCE.

Counsel are encouraged to discuss the order prior to the conference call with the view to coming to some agreement as to dates for taking action. A typical preliminary motion period lasts approximately nine (9) months. Counsel should be prepared to justify any request for a shorter or longer period.

Part E. The parties involved in this interference are:

Senior Party

Named inventor: Krumwiede, John F., Cheswick, PA
Longobardo, Anthony V., Butler, PA
Shelestak, Larry J., Bairdford, PA

Application: U.S. Patent No. 6,114,264, issued on September 5, 2000, based
upon U.S. Application No. 08/414,165, filed March 31, 1995.

Title: Gray Glass Composition

Assignee: PPG Industries Ohio, Inc. ("PPG")

Accorded Benefit: U.S. Application No. 08/153,246, filed **November 16, 1993**

Attorneys: See last page

Address: See last page

Junior Party

Named Inventor: Higby, Paige L., Maumee, OH
Penrod, Bret E., Toledo, OH
Baker, Rodney G., Maumee, OH
Fyles, Kenneth M., United Kingdom
McPhail, Helen L., United Kingdom

Application: U.S. Application No. 09/942,763, filed August 31, 2001

Title: Glass Compositions

Assignee: Libbey-Owens-Ford Co. ("Libbey")

Accorded Benefit: 1) U.S. Application No. 08/472,189, filed June 7, 1995;
2) U.S. Application No. 08/285,652, filed **August 3, 1994.**

Attorneys: See last page

Address: See last page

Part F. Count and claims of the parties

Count 1

A composition according to claim 1 of U.S. Patent No. 6,114,264.

The claims of the parties are:

PPG, U.S. Patent No. 6,114,264:	1-35
Libbey, U.S. Application No. 09/942,763:	13-16 and 18-58

The claims of the parties which correspond to Count 1 are:

PPG, U.S. Patent No. 6,114,264:	1-35
Libbey, U.S. Application No. 09/942,763:	13-16 and 18-58

The claims of the parties which **do not** correspond to Count 1 are:

PPG, U.S. Patent No. 6,114,264:	None
Libbey, U.S. Application No. 09/942,763:	None

Part G. Heading to be used on papers

The following heading shall be used on papers filed in the interference. See STANDING
ORDER ¶ 3.5.

Paper ____¹

Filed on behalf of [name of party]

By: Name of lead counsel
Name of backup counsel
Street address
City, State, and Zip-Code
Tel:
Fax:

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
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LIBBEY-OWENS-FORD CO.
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Senior Party,
(U.S. Patent No. 6,114,264).

Patent Interference No. **105,147** (MPT)

TITLE OF PAPER

¹ Leave a blank line because the board assigns the paper number.

Part H. Summary of dates for taking action

Times for taking action are set out in the following sections of the STANDING ORDER:

- ¶ 4: date for identifying lead and backup counsel.
- ¶ 5: date for identifying any real party in interest.
- ¶ 6: date for requesting copies of involved and benefit applications and patents.
- ¶ 7: date for accomplishing certain discovery.
- ¶ 8: date for filing clean copy of claims.
- ¶ 9: date for filing clean copy of claims in cases with drawings or claims containing a means plus function limitation.
- ¶ 10: date for filing list of proposed preliminary motions.
- ¶ 13.10.2: dates for filing oppositions to Rule 635 miscellaneous motions and dates for filing replies to oppositions.
- ¶ 14.1.1: date for objecting to admissibility of evidence.
- ¶ 14.2: date for serving supplemental affidavits or evidence to respond to objection to admissibility of evidence.
- ¶ 14.3: dates when cross-examination can take place.
- ¶ 15.2: dates for taking action with respect to settlement discussions.

Part I. Order form for requesting file copies

FILE COPY REQUEST
Interference 105,147

A copy of Part E of this NOTICE DECLARING INTERFERENCE should be attached to this FILE COPY REQUEST, with a circle by hand around the patents and applications for which a copy of a file wrapper is desired.

To facilitate processing of this FILE COPY REQUEST, the following information should be included:

1. Charge fees to USPTO Deposit Account No. _____
2. Complete address, including street, city, state, ZIP code and telephone number (do not list a Post Office box because file copies are sent via commercial overnight courier).

Telephone, including area code: _____

Part J. Signature of administrative patent judge


MICHAEL P. TIERNEY
Administrative Patent Judge

Date: 10/31/03

Enc:

Copy of STANDING ORDER

Copy of order used for setting times for taking action in the preliminary motion phase of the interference

Copy of order used for setting times for taking action in the testimony and briefing phases of the interference

PPG, U.S. Patent No. 6,114,264

Libbey, U.S. Application No. 09/942,763, claims 13-16 and 18-58

Revised May 2003

cc (via Federal Express):

Attorney for Libbey:.

John T. Callahan
SUGHRUE MION ZINN MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3213

Attorney for PPG:

PPG Industries Inc.
Intellectual Property Department
One PPG Place
Pittsburgh, PA 15272